

ASSEMBLY BILL

No. 2082

**Introduced by Committee on Education (Brownley (Chair),
Nestande (Vice Chair), Ammiano, Arambula, Buchanan, Carter,
Eng, Solorio, and Torlakson)**

February 18, 2010

An act to add Section 17562.5 to the Government Code, relating to local educational agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 2082, as introduced, Committee on Education. Local educational agencies: reimbursable state mandates.

Existing law establishes a procedure for local governmental agencies to file, with the Commission on State Mandates, claims for reimbursement of specified costs associated with state-mandated local programs, and sets forth the procedure for a determination by the commission for eligibility for reimbursement, appropriation and payment of claims, including payment pursuant to the enactment of a local government claims bill, the establishment of interest accrued on claims, and the review of state mandates by the Legislative Analyst generally.

This bill would express the intent of the Legislature that statutes creating a reimbursable state mandate on school districts be periodically reviewed, and that the Legislature consider recommendations on whether those statutes should be amended, repealed, or remain unchanged. The bill would require that, in addition to a report submitted pursuant to existing law, the Legislative Analyst review and report on each reimbursable state mandate relating to local educational agencies that meets prescribed criteria. The bill would specify the information to be provided in the review and report, and would require that the review

and report be provided to the chairpersons of the Assembly Committee on Education, the Senate Committee on Education, and the fiscal committees of the Assembly and the Senate, on or before the January 1 following the adjournment of the regular session of the Legislature for which the review was made.

Vote: majority. Appropriation: no. Fiscal committee: no.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 17562.5 is added to the Government
2 Code, to read:

3 17562.5. (a) It is the intent of the Legislature that statutes
4 creating a reimbursable state mandate on local educational agencies
5 be periodically reviewed, and that the Legislature consider
6 recommendations on whether those statutes should be amended,
7 repealed, or remain unchanged.

8 (b) In addition to the report submitted pursuant to subdivision
9 (c) of Section 17562, at least once in each regular session of the
10 Legislature, the Legislative Analyst shall review and report on
11 each reimbursable state mandate relating to local educational
12 agencies that meets each of the following criteria:

13 (1) Pursuant to Section 17551, the Commission on State
14 Mandates has determined the existence of a reimbursable
15 state-mandated program.

16 (2) A claim for reimbursement has been filed with the Controller
17 by a school district, county office of education, or other eligible
18 local educational agency.

19 (3) The Legislature has not provided an appropriation to fully
20 fund current and pending claims for reimbursement filed with the
21 Controller.

22 (c) The review and report prepared by the Legislative Analyst
23 pursuant to subdivision (b) shall:

24 (1) Include all of the following for each mandate:

25 (A) A summary and its statutory source.

26 (B) Fiscal information, including, but not necessarily limited
27 to, the claims paid to date, unpaid claims, pending claims, and the
28 history of appropriations for the mandate.

29 (C) Recommendations as to whether the mandate should be
30 amended, repealed, or remain unchanged.

1 (2) Be provided to the chairpersons of the Assembly Committee
2 on Education, the Senate Committee on Education, and the fiscal
3 committees of the Assembly and the Senate, on or before the
4 January 1 following the adjournment of the regular session of the
5 Legislature for which the review was made.

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